

REMARKS

The claims 1-27 are pending. Claims 1 and 14 are amended, and claims 22-27 are newly added.

The non-final Office action mailed on 12 February 2003 (Paper No. 4) requires restriction under 35 U.S.C. § 121 to one of the following inventions: Group I (claims 1-13, classified in class 313, subclass 402); and Group II (claims 14-21, classified in class 430, subclass 5).

The Applicants have added claims 22-27. The claims 22-24 and 26 are respectfully believed to be "linking" claims that link the Groups I and II.

The linking claims 22 and 23 depend from claim 1, and therefore Group I now includes claims 1-13, 22, and 23. The linking claims 24 and 26 depend from claims 14 and 18, respectively. Also, the claims 25 and 27 depend from claims 14 and 18, respectively. Therefore, Group II now includes claims 14-21 and 24-27.

The Applicants provisionally elect Group I with traverse. That is, the Applicants provisionally elect Group I, drawn to claims 1-13, 22, and 23, with traverse.

The Applicants respectfully submit that the Groups I and II are not distinct, because the Group I is drawn to claims 1-13 and linking claims 22 and 23, and the Group II is drawn to claims 14-21, 25, 27, and linking claims 24 and 26. Therefore, in view of the newly added linking claims

22-24 and 26, the Applicants respectfully request that the U.S. Patent and Trademark Office (PTO) withdraw the restriction requirement and examine all claims 1-27.

The claim 22 is a linking claim that links Groups I and II. The claim 22 is believed to be a linking claim because claim 22 sets forth at least some features of claim 14 (Group II) and, at the same time, claim 22 depends from claim 1 (Group I). The claims 14 and 22 each set forth an upper exposure device/upper exposure mask and a lower exposure device/lower exposure mask. Also, the claims 14 and 22 each set forth "exposing said photosensitive films to light" and etching said mask/thin plate when said developing of said photosensitive films is performed, and molding said mask/thin plate to have a predetermined curvature. In view of the newly added linking claim 22, the Applicants respectfully submit that the Groups I and II are not distinct. Furthermore, in view of the newly added linking claim 22, the Applicants respectfully submit that the Group I does require the particulars of Group II.

The claim 23 is a linking claim that links Groups I and II. The claim 23 is believed to be a linking claim because claim 23 sets forth at least some features of claim 18 (Group II) and, at the same time, claim 23 depends from claim 1 (Group I). The claims 18 and 23 each set forth an upper exposure device/upper exposure mask and a lower exposure device/lower exposure mask. Also, the claims 18 and 23 each set forth upper and lower surfaces of a mask/thin plate being coated with photosensitive films, and said photosensitive films on said upper and lower surfaces of the mask/thin plate being exposed to light. In view of the newly added linking claim 23, the Applicants respectfully submit that the Groups I and II are not distinct. Furthermore, in view of the newly added

linking claim 23, the Applicants respectfully submit that the Group I does require the particulars of Group II.

The claim 24 is a linking claim that links Groups I and II. The claim 24 is believed to be a linking claim because claim 24 sets forth at least some features of claim 1 (Group I) and, at the same time, claim 24 depends from claim 14 (Group II). The claims 1 and 24 each set forth slots that are penetrated by electron beams and bridges that are indented to a predetermined depth. In view of the newly added linking claim 24, the Applicants respectfully submit that the Groups I and II are not distinct. Furthermore, in view of the newly added linking claim 24, the Applicants respectfully submit that the Group I does require the particulars of Group II.

The claim 25 depends from claim 14. The claim 25 sets forth at least some features of claim 18. For example, the claims 18 and 25 each set forth an upper exposure mask closely attached to an upper surface of a thin plate, and a lower exposure mask closely attached to a lower surface of a thin plate.

The claim 26 is a linking claim that links Groups I and II. The claim 26 is believed to be a linking claim because claim 26 sets forth at least some features of claim 1 (Group I) and, at the same time, claim 26 depends from claim 18 (Group II). The claims 1 and 26 each set forth slots that are penetrated by electron beams and bridges that are indented to a predetermined depth. In view of the newly added linking claim 26, the Applicants respectfully submit that the Groups I and II are not distinct. Furthermore, in view of the newly added linking claim 26, the Applicants respectfully

submit that the Group I does require the particulars of Group II.

The claim 27 depends from claim 18. The claim 27 sets forth at least some features of claim 14. For example, the claims 14 and 27 each set forth an upper exposure mask, a lower exposure mask, a separating of the upper and lower exposure masks from the thin plate, and an etching of the thin plate.

The Applicants respectfully submit that the PTO has failed to show that an examination of the entire application would be a serious burden on the Examiner, and respectfully submit that there would be no such serious burden, and that the PTO has thus failed to follow the restriction requirement test set forth in MPEP § 803.

MPEP § 803 indicates when a restriction may be proper. In the test for a restriction requirement shown in MPEP § 803, part of that test states that if the search and examination of the entire application can be made without serious burden, then the the PTO **must** examine the entire application, *even if the application includes claims to independent or distinct inventions.*

The Paper No. 4 never discusses a "serious burden" or shows that there would be a "serious burden" on the PTO in an examination of all claims. And, as stipulated in MPEP § 803, if the search can be made without serious burden, the Examiner must examine it on the merits. The Examiner has not alleged any serious burden. Because no serious burden has been demonstrated by the PTO, and because the Applicants respectfully submit that there would be no serious burden, the restriction

requirement is believed to be improper. In view of the foregoing, the Applicants respectfully request that the restriction/election requirement as to Groups I and II be withdrawn. The Applicants have herein provided reasons for withdrawing the restriction/election requirement as to Groups I and II.


The claims 1 and 14 are amended to further clarify the claimed invention. In view of the newly added linking claims 22-24 and 26, the Applicants respectfully believe that the PTO will need to search all relevant classes and subclasses regarding Groups I and II, and thus the Applicants respectfully request that the restriction requirement be withdrawn.

The Applicants respectfully submit that the Groups I and II are not distinct, because the Group I is drawn to claims 1-13 and linking claims 22 and 23, and the Group II is drawn to claims 14-21 and linking claims 24 and 26. Because the linking claims 22-24 and 26 cause an overlap among Groups I and II, the Applicants respectfully request that the restriction requirement be withdrawn. Therefore, in view of the newly added linking claims 22-24 and 26, the Applicants respectfully request that the PTO withdraw the restriction requirement and examine all claims 1-27.

In view of the above, it is requested that the election requirement be withdrawn. It is further submitted that the application is in condition for examination on the merits, and early allowance is requested.

A fee of \$108.00 is incurred by the addition of six (6) total claims in excess of total 21. Applicant's check drawn to the order of Commissioner accompanies this Amendment. Should the check become lost, be deficient in payment, or should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

Respectfully submitted,


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